



Order Filed on August 23, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon
KML Law Group, PC
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Specialized Loan Servicing LLC, as servicer for
Christiana Trust, a division of Wilmington Savings
Fund Society, FSB, not in its individual capacity, but
solely as owner trustee on behalf of RBSHD 2013-1
Trust

In Re:

Fugnitti, Annette

Fugnitti, Henry Jr.

Case No: 17-22794 KCF

Hearing Date: August 22, 2017

Judge: Kathryn C. Ferguson

Recommended Local Form:

☐

Followed

☐

Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: August 23, 2017


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Upon the motion of Specialized Loan Servicing LLC, as servicer for Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as owner trustee on behalf of RBSHD 2013-1 Trust, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as Lot 8, Block 116.03, 10 Boulder Drive, Barnegat NJ 08005

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Henry Fugnitti, Jr.
Annette Fugnitti
Debtors

Case No. 17-22794-KCF
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2017.
db/jdb +Henry Fugnitti, Jr., Annette Fugnitti, 10 Boulder Drive, Barnegat, NJ 08005-2042

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as owner trustee on behalf of RBSHD 2013-1 Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Donna B. Vlahakis on behalf of Joint Debtor Annette Fugnitti HandVnj@gmail.com
Donna B. Vlahakis on behalf of Debtor Henry Fugnitti, Jr. HandVnj@gmail.com
John W. Hargrave on behalf of Trustee John W. Hargrave trustee@hargravelaw.com, jwh@trustesolutions.net
John W. Hargrave trustee@hargravelaw.com, jwh@trustesolutions.net
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6